

Respondent's Notice

Valuation Tribunal Appeal number

Lands Chamber appeal number
(case number)

Name and address of the respondent(s)

Name

Address
(including
postcode)

Telephone (if not
represented)

Fax (if not
represented)

Email (optional)

Address for service (Note: if you are represented all documents must be sent or delivered to your representative)

Name

Address
(including
postcode)

Telephone

Fax

Email (optional)

Respondent's(s') representative, if any/ address for service of documents (If this section is completed, all communications regarding this appeal will be sent or delivered to the representative.)

Name

Address
(including
postcode)

Telephone

Fax

DX

Email (optional)

Professional capacity in which the representative acts (if any): (state whether solicitor, surveyor or other professional qualification)

Grounds for opposing the appeal

The grounds on which you rely in opposing the appeal must be set out in full in an attached document. With your statement of case, you must include:

1. every valuation (with particulars and computations) you rely on **or** a statement of the value(s) agreed by the parties; and
2. full particulars of any comparable properties and transactions you rely on and a statement of the purpose for which the comparison is made **or** a statement that no comparables will be referred to.

If you believe that the appellant has not fully particularised the grounds of appeal, you should set out as much detail in response to the appellant's case as you can in the circumstances and request that the appellant be required to serve a statement of case to supplement the notice of appeal. If the Tribunal directs the appellant to file and serve a statement of case, you will have an opportunity to file a reply to it. If you are unable to set out your case in full for any other reason you should apply for an extension of time in which to file and serve a statement of case to supplement your respondent's notice. A fee of £110 is payable.

Hearing arrangements

I intend to call an expert witness at the hearing of the appeal

☐ Yes

☐ No

☐ Unsure

I may wish to call more than one expert witness (permission from the Tribunal is needed to call more than one expert witness)

☐ Yes

☐ No

☐ Unsure

I/we have read the attached guidance and request the:

- ☐ Standard procedure ☐ Simplified procedure
- ☐ Special procedure ☐ Written representations procedure

If B, C or D I/we believe this procedure is suitable because:

Declarations, signature and date

1. I/we provide this notice to the Tribunal **within 1 month** of the date on which it sent the notice of appeal or notice that it gave the appellant permission to appeal. Yes ☐ No ☐
2. I/we request that the appellant be directed to file a statement of case. Yes ☐ No ☐
3. I/we apply for an extension of time in which to file and serve my respondent's notice; the reason(s) I need more time are set out on an attached page; and I enclose the £110 fee payable to 'HM Courts & Tribunals Service' (**not** the Lands Chamber). Yes ☐ No ☐
4. I/we have sent a copy of this notice and all attachments to the appellant. Yes ☐ No ☐
5. I/we accept responsibility for the conduct of the case and payment of fees and costs.

Signed:

Date:

Name:

(This notice must be signed by the respondent unless represented by a solicitor. If you are not represented and there is more than one respondent name on this notice, all respondents must sign and print their name below.)

Send or deliver the completed form and enclosures to:

- | | |
|--|--|
| 1. The Registrar Upper Tribunal (Lands Chamber) 5th Floor, Rolls Building 7 Rolls Building, Fetter Lane London EC4A 1NL DX: 160042 Strand 4 Tel: 020 7612 9710 Fax: 0870 761 7751 | 2. The appellant(s), at the address for service on the notice of appeal. |
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Case Management Procedures

A step by step summary of our procedures is available in the procedure flowchart for rating appeals, which may be viewed online at our website or requested from the Lands Chamber office. The tribunal fees, such as the hearing fee, are payable in all cases.

You may apply for a change in procedure during the course of proceedings by setting out your reasons, confirming that you have given notice to all other parties and paying the £110 fee for an interlocutory application. At any time a Registrar or the Judge or Member to whom the case has been allocated, may direct that it should be assigned to one of the other procedures. All submissions from the parties will be taken into account in deciding which procedure should apply.

Simplified procedure

In certain small, simple or straightforward cases, time and costs may be saved by use of the simplified procedure. This procedure is for the speedy and economical determination of cases in which there is no substantial issue of law or valuation practice and no substantial conflict of fact is likely to arise. It is often suitable where the amount at stake is small. It will not normally be appropriate for cases involving more than one expert witness. The appeal goes to a hearing as quickly as possible and with the minimum of formality and cost. The consent of the claimant, appellant or applicant will usually be required before a case is allocated to the simplified procedure.

In most cases a date for the hearing, normally about three months ahead, will be fixed immediately. The parties may be required to file statements of case. Not later than one month before the hearing, the parties must exchange copies of all other documents, such as witness statements, on which they intend to rely except their experts' report, if any, which must be exchanged not later than 14 days before the hearing. The hearing is informal and strict rules of evidence do not apply. It will almost always be completed in a single day. A surveyor may act both as advocate and as expert witness. Except in compensation cases, to which particular statutory provisions on costs apply, an award of costs is made only in exceptional circumstances. The usual tribunal fees, such as the hearing fee, are payable.

Written representations procedure

The Tribunal may order that the proceedings be determined without an oral hearing but will not usually do so without the consent of the parties to the proceedings. An order will only be made if the Tribunal, having considered the issues in the case and the desirability of minimising costs, decides that oral evidence and argument can properly be dispensed with. Directions will be given to the parties for the filing of representations and documents. If necessary, the Judge or Member allocated to the case will seek to carry out a site inspection before giving a written decision.

Special procedure

The special procedure is for cases requiring case management by a Judge or Member in view of their complexity, the amount in issue or wider importance. Under the special procedure an early case-management hearing is held for appropriate directions to be given for the fair, expeditious and economical conduct of the proceedings. Where appropriate a date for the final hearing is fixed at the case-management hearing and the steps which the parties are required to take, and any further case-management hearings, are timetabled by reference to this date.

Each party needs to consider whether it is appropriate to make application for the determination of a preliminary issue and for permission to call more than the permitted number of expert witnesses and identify, and where necessary make application for, any other order that it wishes the Tribunal to make at the case-management hearing. The parties must seek to agree the terms of any order

that they wish the Tribunal to make. Not less than seven days before a case-management hearing the parties must file an agreed position statement summarising the subject-matter of the case and, to the extent that it is possible to do so at that stage, the issues. They must also state the areas of expertise of each expert witness that they propose to rely on and the general scope of their evidence.

Standard procedure

The standard procedure is used in cases where a hearing is necessary and the issues of fact, law or valuation are too complex for the simplified procedure but not so complex or of general importance so as to require the special procedure.

Under the standard procedure case management is in the hands of the Registrars who will give such directions as appear to be necessary. Directions given may, as appropriate, use elements of the special procedure (for example, timetabling through to the hearing date) or the simplified procedure. A Registrar will hold a case-management hearing should it appear appropriate to do so. If they wish to do so the parties may seek to agree appropriate directions for the conduct of the proceedings and may make an application to the Registrar for those directions by consent or on notice. The interlocutory application fee is payable.

All cases

If you are unable to comply with a direction that has been given during the course of proceedings you must make an application promptly for a stay of proceedings, for an extension of time or for other variation of the direction(s). You should seek the prior agreement of the other parties. To make an application you must set out your reasons, confirm that you have given notice of the application to all other parties and enclose the fee for an interlocutory application. The fee is set out in the Tribunal's Fees Order, which may be viewed on line, it is £110. Please note that all cheques must be made payable to 'HM Courts & Tribunals Service' (not to the Lands Chamber).

ADR/ Mediation

The Tribunal supports the resolution of disputes by consent by the parties. Information about mediation services offered directly to Tribunal users is available on our website or may be requested from the Tribunal office. See the Practice Directions for information about staying the proceedings.

More information

If you have access to the internet please visit our website where you will find further information about proceedings in the Tribunal. If you do not have internet access you may call or write to us to request a copy of any of these documents. This includes:

1. The Rules and the Practice Directions that govern our procedures;
2. The Order that sets the fees for stages in the proceedings and for applications;
3. The Procedure Flowcharts that show the steps in the proceedings; and
4. The Explanatory Leaflet that provides an overview of the cases the Tribunal deals with and other information.